

19. (Currently Amended) A subscriber station having a radio with a power amplifier including foldback circuitry that monitors a current in said power amplifier indicative of actual uplink transmit power provided by said power amplifier to an antenna, said foldback circuitry operating to limit said monitored current to prevent said power amplifier from being driven over specification or being driven outside regulatory limits, said subscriber station operable to transmit data at a plurality of different data rates, and said subscriber station further operable to track incidents of foldback and to transmit data at a lower data rate from said plurality of different data rates whenever tracked incidents of foldback reach a predetermined threshold, an incident of foldback occurring whenever ~~current uplink transmit power is limited by said foldback circuitry operating to prevent said power amplifier from at least one of (i) being driven over specification, and (ii) being driven outside regulatory limits~~ said foldback circuitry operates to limit said monitored current to prevent said power amplifier from being driven over specification or being driven outside regulatory limits.